

Approved as Submitted: January 11, 2005

**CITY OF MORGAN HILL  
JOINT SPECIAL AND REGULAR CITY COUNCIL  
AND SPECIAL REDEVELOPMENT AGENCY MEETING  
MINUTES – DECEMBER 21, 2005**

**CALL TO ORDER**

Mayor/Chairman Kennedy called the special meeting to order at 6:01 p.m.

**ROLL CALL ATTENDANCE**

Present: Council/Agency Members Carr, Grzan, Tate and Mayor/Chairman Kennedy  
Late: Council/Agency Member Sellers

**DECLARATION OF POSTING OF AGENDA**

City Clerk/Agency Secretary Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

***City Council and Redevelopment Agency Action***

**CLOSED SESSIONS:**

Interim City Attorney/Agency Counsel Siegel announced the below listed closed session items:

**1.**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Authority:	Government Code Sections 54956.9(b) & (c)
Number of Potential Cases:	2

**2.**

**PUBLIC EMPLOYEE APPOINTMENT**

Authority:	Government Code 54957
Consideration of Appointment:	City Attorney
Attendees:	City Manager, Interim City Attorney, Bob Murray

**OPPORTUNITY FOR PUBLIC COMMENT**

Mayor/Chairman Kennedy opened the Closed Session items to public comment. No comments were offered.

**ADJOURN TO CLOSED SESSION**

Mayor/Chairman Kennedy adjourned the meeting to Closed Session at 6:04 p.m.

**RECONVENE**

Mayor/Chairman Kennedy reconvened the meeting at 7:00 p.m.

## **CLOSED SESSION ANNOUNCEMENT**

Interim City Attorney/Agency Counsel Siegel announced that no reportable action was taken on the Anticipated Litigation closed session items. Under Public Employee Appointment, he announced that no reportable action was taken in closed session -- continue negotiations for search of new City Attorney.

## **SILENT INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC COMMENT**

Mayor/Chairman Kennedy opened the floor to public comments for items not appearing on this evening's agenda. No comments were offered.

## ***City Council Action***

### **CONSENT CALENDAR:**

**Action:**        *On a motion by Council Member Carr and seconded by Council Member Sellers, the City Council unanimously (5-0) **Approved** Consent Calendar Item 1 as follows:*

1.        **ADOPT ORDINANCE NO. 1749, NEW SERIES**

**Action:** **Waived** the Reading, and **Adopted** Ordinance No. 1749, New Series, and **Declared** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO ORDINANCE NO. 1699 NEW SERIES, AMENDING THE DEVELOPMENT AGREEMENT FOR APPLICATION DA-04-03: DEWITT-LATALA. (APN 773-08-012)**

## ***City Council and Redevelopment Agency Action***

### **CONSENT CALENDAR:**

**Action:**        *On a motion by Council/Agency Member Carr and seconded by Council/Agency Member Sellers, the City Council/Agency Board unanimously (5-0) **Approved** Consent Calendar Item 2 as follows:*

2.        **ANNUAL FINANCIAL REPORTS FOR FISCAL YEAR 2004-2005**

**Action:** 1) **Accepted** and **Filed** the Comprehensive Annual Financial Report for the Fiscal Year 2004-2005; and 2) **Accepted** and **Filed** the Financial Statements for the Redevelopment Agency for Fiscal Year 2004-2005.

## ***City Council Action (Continued)***

### **CONSENT CALENDAR:**

City Manager Tewes indicated that Consent Item 3 is a matter in which Council Member Sellers did not participate upon introduction. Therefore, Council Member Sellers may wish to have a separate vote taken on Consent Item 3.

**Action:** *On a motion by Council Member Tate and seconded by Council Member Carr, the City Council, on a 4-0-1 vote with Council Member Sellers abstaining, **Approved** Consent Calendar Item 3 as follows:*

#### **3. ADOPT ORDINANCE NO. 1750, NEW SERIES**

**Action:** ***Waived** the Reading, and **Adopted** Ordinance No. 1750, New Series, and **Declared** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE ZONING DESIGNATION FROM O-S, OPEN SPACE TO P-F, PUBLIC FACILITIES ON 2.37 ACRES LOCATED AT 17860 MONTEREY ROAD. (APN 726-24-020) [ZA-05-12: Monterey-City of Morgan Hill/Morgan Hill House].***

### **FUTURE COUNCIL-INITIATED AGENDA ITEMS**

No items were identified.

### **ADJOURNMENT**

There being no further business, Mayor/Chairman Kennedy adjourned the meeting at 7:04 p.m.

### **MINUTES RECORDED AND PREPARED BY:**

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**IRMA TORREZ, CITY CLERK/AGENCY SECRETARY**